

*AT*  
*CJL*

cellulose acetates, poly(methyl methacrylate), polyesters, polyamides, polycarbonates, polyvinyl acetate, proteins, protein derivatives, cellulose derivatives, polysaccharides, poly(vinyl lactams), acrylamide polymers, poly(vinyl alcohol), derivatives of poly(vinyl alcohol), hydrolyzed polyvinyl acetates, polymers of methacrylates, polymers of alkyl acrylates, polymers of sulfoalkyl acrylates, polyamides, polyvinyl pyridine, acrylic acid polymers, maleic anhydride copolymers, polyalkylene oxide, methacrylamide copolymers, polyvinyl oxazolidinones, maleic acid copolymers, vinyl amine copolymers, methacrylic acid copolymers, acryloyloxyalkyl sulfonic acid copolymers, vinyl imidazole copolymers, vinyl sulfide copolymers, homopolymer containing styrene sulfonic acid, copolymers containing styrene sulfonic acid, gelatin and combinations thereof and wherein said filler particles are selected from the group consisting of matte beads, silica, glass beads, pigments, and polymeric beads.

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27. (Once Amended) The photographic element of Claim 26 wherein said upper shield layer comprises lubricants, film-forming polymeric binder and filler particles wherein said lubricant is selected from the group consisting of silicates, silicone based materials, fatty acids, fatty acid derivatives, alcohols, alcohol derivatives, fatty acid esters, fatty acid amides, polyhydric alcohol esters of fatty acids, paraffin, carnauba wax, natural waxes, synthetic waxes, petroleum waxes, mineral waxes, and fluoro-containing materials wherein said film forming binder is selected from the group consisting of polyurethanes, cellulose acetates, poly(methyl methacrylate), polyesters, polyamides, polycarbonates, polyvinyl acetate, proteins, protein derivatives, cellulose derivatives, polysaccharides, poly(vinyl lactams), acrylamide polymers, poly(vinyl alcohol), derivatives of poly(vinyl alcohol), hydrolyzed polyvinyl acetates, polymers of methacrylates, polymers of alkyl acrylates, polymers of sulfoalkyl acrylates, polyamides, polyvinyl pyridine, acrylic acid polymers, maleic anhydride copolymers, polyalkylene oxide, methacrylamide copolymers, polyvinyl oxazolidinones, maleic acid copolymers, vinyl amine copolymers, methacrylic acid copolymers, acryloyloxyalkyl sulfonic acid copolymers, vinyl imidazole copolymers, vinyl sulfide copolymers, homopolymer containing styrene sulfonic acid, copolymers containing styrene sulfonic acid, gelatin and

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combination thereof wherein said filler particles are selected from the group consisting of matte beads, silica, glass beads, pigments, and polymeric beads.

28. (Once Amended) The photographic element of Claim 26 wherein said upper shield layer comprises wax esters of high fatty acids, silicates, carnauba wax, fluoro-containing materials, silica, polymeric beads, polyurethanes, polycarbonates, or gelatin.

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30. (Once Amended) The photographic element of Claim 29 wherein said upper shield layer comprises electrostatic charge control materials selected from the group consisting of conductive particles including doped-metal oxides, metal oxides containing oxygen deficiencies, metal antimonates, conductive nitrides, carbides, or borides.

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33. (Once Amended) The photographic element of Claim 26 wherein said upper shield layer has scratch resistance of greater than 3 grams.

#### REMARKS

In paragraph 1 of the Office Action, claims 1-17, 19 and 21 stand rejected under 35 USC 102 as anticipated by Tingler (014). It is respectfully requested that this rejection be reconsidered and withdrawn as the claims 1-17, 19 and 21 have been cancelled.

In paragraph 2 of the Office Action, claims 1-17, 19 and 21 stand rejected under 35 USC 102 as anticipated by, or in the alternative, under 35 USC 103 as obvious over Tingler et al. (505). It is respectfully requested that this rejection be reconsidered and withdrawn as claims 1-17, 19, and 21 have been cancelled.

In paragraph 3 of the Office Action, claims 1-41 stand rejected under 35 USC 103 as unpatentable over the combination of Trautweiler, Tingler et al. (014) and Tingler et al. (505). The Examiner states that Trautweiler et al. discloses photographic elements within transparent polymer supports which are adhered to base materials after exposure and processing. Tingler et al. (014) and